

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION

PATENT GROUP, LLC
Relator

v.

M. E. HEUCK CO.
Defendant

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Civil Action No. 6:10-cv-00231

JURY TRIAL DEMANDED

MOTION TO DISMISS WITH PREJUDICE

TO THE HONORABLE JUDGE OF SAID COURT:

Comes now Plaintiff PATENT GROUP, LLC by and through their attorney of record Ken W. Good and the law firm of KENT, GOOD, ANDERSON & BUSH, P.C. to file this its Motion to Dismiss with Prejudice the above-referenced civil action.

The above-referenced civil action has been resolved by compromise and settlement. As a result Plaintiff no longer wishes to pursue the litigation. Both parties respectfully request that the above-referenced civil action be dismissed, with prejudice. Attached to this Motion is the proposed Order for consideration and approval of the Court.

WHEREFORE, THE ABOVE PREMISES CONSIDERED, Plaintiff respectfully moves to dismiss the above-referenced civil action with prejudice. All attorneys' fees, expenses, and court costs related to this litigation should be paid by the party incurring same.

Plaintiff respectfully request that an order be entered dismissing the above-referenced civil action, with prejudice.

Dated: August 20, 2010

Respectfully submitted,

KENT, GOOD, ANDERSON & BUSH, P.C.
Woodgate I, Suite 200
1121 E.S.E. Loop 323
Tyler, Texas 75701
(903) 579-7500 (Office)
(903) 581-3701 (Fax)

By: /s/ Ken W. Good

KEN W. GOOD

State Bar No. 08139200

ATTORNEYS FOR RELATOR

CERTIFICATE OF SERVICE

I hereby certify that all counsel of record who have consented to electronic service are being served with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3) on this 20th day of August 2010. Any other counsel of record will be served by first class U.S. mail on this same date.

/s/ Ken W. Good

Ken W. Good

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ORDER AND DISMISSAL WITH PREJUDICE

Plaintiff PATENT GROUP, LLC has entered into a settlement resolving the claims, counterclaims and defenses pleaded in this civil action and have agreed to the entry of this Order and Dismissal with Prejudice. It is, therefore, ORDERED as follows:

1. All claims and counterclaims asserted in this action are hereby dismissed with prejudice.
2. All costs, including attorneys' fees, shall be paid by the party incurring same.
3. All relief not expressly granted herein is denied.
4. The United States District Court for the Eastern District of Texas, Tyler Division, shall maintain continuing jurisdiction over this matter for the purposes of enforcing and interpreting the terms of the Compromise and Settlement Agreement should it be necessary.